Sri S. SIVAPPA.—At the time the Bill had to be introduced, he was not here. I am correct to that extent.

Sri M. V. KRISHNAPPA.—I said I was in the other House. I cannot be at two different places at the same time. I have no Deputy Minister.

Sri S. SIVAPPA.—It is most unfortunate that he has no Deputy. He must have one. (*laughter.*)

CHAIR'S RULING

re: 1. Presence of Police Officers in the precincts of the House.
2. Use of abusing language during debate.

Mr SPEAKER.—There are three matters which have been held over. One matter is with regard, to the appearance or the presence of Police officers in the Lounge and certain embarrassment or inconvenience caused to the Hon'ble Member Sri A. Krishna Shetty. I said that Sri A. Krishna Shetty had met me late in the evening that day at about 7 O'clock when I had gone to the General Hostel Building and I discussed the matter with him. I have gathered certain facts. I have ascertained from the Government and I have ascertained from the the Legislature Secretariat. The facts that come to my knowledge are that there were one or two persons that came and met Sri Shetty. I do not know what exactly transpired, nor am I going to analyse it. I am making the position very clear so far as the Government is concerned and in particular, the Home Department. They should see that no Member of the Legislature is inconvenienced to the least extent by either the people in the regular force, in regular dress or any other dress. If they are the officers of the Police force, so far as their presence in the Lounge is concerned, I am unable to confirm that they were there. I do not want to deny what the Hon'ble Member has said. But, I have issued strict instructions, that on no condition should they come to the Lounge or any precincts of the House without my knowledge and without disclosing to me the purpose to see whether it is justifiable. I will adhere to the rule that no person of the Police office, unless belonging to the Watch and Ward of of the Legislature Secretariat, should come to the Lounge. But, shonld any contingency arise, when a Member's relation or a person who comes to see a Member unconnected with any political purpose as an ordinary citizen, I do not know whether that also should be excluded. If the Members want me, they could tell me. So far as two officers, are concerned, one Inspector, I belive the Hon'ble Member said and the other the Sub-Inspector, on enquiry I learnt that they came to the Secretariat to ascertain whether the Hon'ble Minister for Education wou d be available and if so at what time. I believe, it was in connection with the students' strike. So far as Police officers going to the Hon'ble Ministers or any Member of the Cabinet or any Secretariat other than the Legislature Secretariat is

concerned, I do not think there is any objection. It is for the Government and it is for the officers concerned to receive or not to receive. We cannot mistake the whole of Vidhana Soudha Buildin as constituting the precincts of Vidhana Mandal to prohibit a Police officer coming and seeing The Police Officer is bound to go and see the Minister in-charge of the Department or the Secretary in-charge or for the matter any Government Officer who may send for him. Of course I will not allow the Police to come to the Lounge or to that Section of the building, which is under the Legislature Secretariat. I asked whether anybody had approached the Secretary. I am told that none of them had approached him. If at any time Members find that any strangers has come here, let them bring it my notice immediately.

Sri C. J. MUCKANNAPPA.—I found them in the Lounge.

Mr. SPEAKER. On enquiry, I found that they had not come there.

Sri C. J. MUCKANNAPPA.—I have just informed three or four persons.

Mr. SPEAKER.— I do not doubt. Suppose, I probe further, I may come to some conclusion. Is it going to serve any purpose? What I want is that the dignity of the Legislature must be maintained. No Member at any time should have in his mind the trace or even a shadow of possibility of anybody pursuing him or trying to interfere in his work. That I propose to do. That assurance I can give to the Members of the House.

Secondly, the Hon'ble Member Sri Muckannappa raised a point, when the discussion on the City and Town Municipalities Bill was going on, that the Hon'ble Minister in-charge of the Bill, who moved an amendment, had no status, had no *locus standi* and was not competent to move that amendment. In support of his contention, he spoke from memory and referred to the Land Reforms Bill, discussed and passed in the previous Assembly. I took infinite pains to send for all the papers concerned. I tried my best, but I could not have it. I now requested the Hon'ble Member to lay his fingers and trace the relevant proceedings which would deal with the point raised by him. The proceedings are with me. I honestly believe that there is such a case. I remember one lawyer citing a case. Ultimately that particular Judge said: "ultimately the lawyer said, I rely upon that case which your Honour mentioned, which is very conclusive". I searched for it, but could not find it. At times it happens like that. All that I am saying is that, I have a set of procedings for immediate reference. I will help the Members by giving these references to them. But, then we must have something more positive. I am saying that for the future, and not for the past. Nor do I doubt the *bona fide* of the Hon'ble Member who raised this Point of order. But, it was so extraordinary that I could not easily accept it. From the Ruling and references, I will be citing now. Members can see that the right to move an amendment is in theory, equivalent to initiation of legislation An amendment is also like that, a miniature legislation. That right can never be taken away.

† Sri G. V. GOWDA (Palya).—After it is reported by the Joint Select Committee, without getting the concurrence of the Members of the Joint Select Committee, can he move an amendment because he is a party to the earlier report? Having subscribed and signed the report to the views of the Joint Select Committee, can he bring an amendment and move?

Mr. SPEAKER.—I am happy that the Hon'ble Member has taken it. If necessary, I will pass on all the papers. If he has got any authority to the contrary, I am prepared to hear him. In theory, one amendment is as good as the other amendment. Does it bind the House?

Sri G. V. GOWDA.—It arises because the Members of the Joint Select Committee are a party to it.

Mr. SPEAKER.—How does it bind? It arises to the extent that it is found there, not by anything that may be added by way of amendment. The Government can move amendments even at the last stage. The amendment of a Member has to be scrutinised by the Government.

Sri V. M. DEO (Gubbi).—There is no doubt about that point.

Mr. SPEAKER.—I shall finish with that point. So, even now I am prepared to withhold my Ruling if Sri G. V. Gowda can enlighten me on that Point. I would request him to read all the books that are relevant.

Sri G. V. GOWDA.—It may not be possible for me to study authorities on this Matter. My only contention is, having subscribed to the particular view, I mean, it is one thing if he wants to add something to what Joint Select Committee has already said. But if he wants to take away something and substitute something, is it permissible?

Mr. SPEAKER.—He has stated the point beautifully in clear terms. But the position is, what is the Rule, governing that position, and what is it that he has got by way of precedents, rulings and conventions? Why does he not study it? Propounding principles on the floor of the House without proper grounding is not conducive to proper Parliamentary work. I do not shut him out. I propose to defer my Ruling by another two days. I give him all these books; let him go through them. If he intends to come and discuss with me, I have no objection, because the time of the House should not be utilised for purposes other than the one put down in the agenda. Let us not eat into the time allotted here.

Sri A. KRISHNA SHETTY.—Then does it mean that Members of the Joint Select Committee also may move amendments?

Mr. SPEAKER.—He may kindly study. If Members propose to confound me with conundrums, how is it possible? Let them read something, study something, come and discuss. I want them to study. That raises the level of the debate. I will be too glad to discuss with them.

Sri V. M. DEO.—If the Minister sends in an amendment at this stage, will it not amount to a denial of the right of other members who do not agree with that view to send their minute of dissent?

Mr. SPEAKER.—From that view, there is much to be said which we will discuss at a later stage. With regard to the language used by one Hon'ble Member against another, one Hon'ble Member on this side is stated to have said to the other Member on the Opposite that he was participating in the debate without reading the Bill. The point was raised by the Hon'ble Member Sri V. S. Patil whether it was in order to say so and whether it did not amount to a breach of privilege. I do not know what exactly he had in his mind. He must bring it under a definite category to say that it is a breach of privilege. One member trying to insinuate against another—does it constitute a breach of privilege? It is the privilege of the member to say things in any manner. I want members to study these things.

Sri SANJEEVANATH AIKALA.—May I submit, Sir, that you have not given your Ruling on the point of order I raised last year. During the discussion on the No Confidence Motion, the Chief Minister made a sarcastic reference about the Members amounting to an insult. You said that you would give your Ruling at a later date.

Mr. SPEAKER.—I want to ask him, what was he doing all the while? I do not remember. I will see. I might have said something then and there. I will have the papers checked up.

Now, let me deal with this...

Sri S. SIVAPPA.—Sir, I see visitors' galleries are empty. I was told that passes were not being issued even if MLAs asked for them.

Mr. SPEAKER.—I said, that I would look into it. He has already brought to my notice the incident of Dr. Bhojaraj. I said that, I would look into it. I cannot get down immediately and hold an enquiry. There may be more reasons than one. I will look into it.

Now, coming back to the subject this kind of a thing has not happened for the first time in the Legislature—one member telling the other that he has participated in the debate without reading.

Sri G. V. GOWDA —It is completely open to me, Sir, to say that the other member is speaking without studying. What is the insult meant in that? I want to press my point and therefore, I am at perfect liberty to say that members on the opposite side have not studied the subject. There is no insult. I say that only to support what I want to say.

Mr. SPEAKER —That is a complete answer to Sri V. S. Patil. I wish he was here to listen to what another Hon'ble Member on his own side has to say on the subject.

I will complete my Ruling:

Extract from Legislative Assemblies by Robert Luce—Page 642.

"In the heat of debate, men usually moderate and considerate sometimes say things likely to provoke bad temper or even altercations. It was early found that these could not prudently be allowed to go unrebuked. Sir Thomas Smith, describing the Parliament of Queen Elizabeth's time, says: "No reviling or nipping words must be used; for then all the House will cry 'it is against the order'. Nevertheless

(MR. SPEAKER)

reviling and nipping words became almost the fashion. It is doubtful if the intemperence of speech in both Houses of Parliament during the American War and at some periods of the administration of the younger Pitt has ever been equalled in Congress or any other of our law making bodies. For example, the "Debates" shows that February 7, 1775. "Lord Mansfield rose in great passion,—he charged the last noble lord "Earl of Shelburne) with uttering gross falsehood." And the Earls of Shelburne returned the charge of falsehood to Lord Mansfield in direct terms."

The lie direct and the *tu quoque* have been heard in other law making bodies, but in none where it would be so unexpected as in the British House of Lords. There a single instance might be set down to the infirmities of human nature and rejected as an insufficient basis for general criticism, but to find that coarse and angry epithets were frequent if not habitual gives cause for gratitude that manner have improved.

So eminent a man Canning complained of "the practice in the House of Commons, of culminating public men on either side of the House, by imputing to them motives of action, the insinuation of which would not be tolerated in the intercourse of private life."

This gentleman allowed himself, on the floor to stigmatize Mr. Lambton, one of the most distinguished orators of the Opposition as "a dolt and an idiot" In February, 1817, Mr. Bennett explained, in his place, against "such Ministers as the noble Lord, Castlereagh, who had already imbrued their hands in the blood of their Country, and been guilty of the most criminal cruelties." Lord Castlereagh replied by giving the lie direct to his accusser. Upon another occasion in the same year, when vilified by Mr. Brougham, the noble Lord described the speech of the Honorable and learned gentleman as "a strain of black, malignant and libellous insinuation."

Such of the members as are inclined may read this Book.

All that I mean to say is that strong language is used in other Assemblies, Parliament and Legislature. But decorum requires that proper language should be used of course. We should not insinuate. Ministers might have seen, how many times I disallow parts of supplementaries when insinuations are contained? How many times do I say 'please donct make insinuations'? By all means, have bitter criticism, strongest criticism, if you like, but don't insinuate or make carping criticism or use vituperative langauge—I do not think there is much in the point raised. As stated by Sri G. V. Gowda, with the wealth of his Parliamentary experience, he opines and I agree that there is no point of order. We will proceed to the business.

SRI C. J. MUCKANNAPPA.— There are other things which are not brought to the notice of the Chair. When the Deputy Speaker was in the Chair, there was no quorum on three occasions. I raised a point of order, whether the House can be left in a vacuum and the responsibilities of the Speaker.....

Mr. SPEAKER.—Why does the quorum bell ring? Can he kindly tell me?

Thirdly when the quorum bell rings, it is intended that the Members may assemble. If the Hon'ble Member points out that there is no quorum, it does not mean that the only course left open to the Presiding Officer is to adjourn the House because there is no quorum.

†Sri C. J. MUCKANNAPPA.—That is what has happened twice. I raised a point of order, saying that there was no quorum; also Sriyuth Revenasiddappa and Sri Namoshi raised a point of order on different occasions. The moment it was raised, the Deputy Speaker who was then in the Chair adjourned the House for a few minutes and retired to his chambers.

Mr. SPEAKER.—When any member points out that there is no quorum, the proper thing is to ring the Bill so that Members may come; if they do not come in and if there is no quorum then the House is to be adjourned.

Sri H. R. KESAVA MURTHY.—What about the short notice question..... .....?

Mr. SPEAKER.—I said I would deal with it 'on Monday'. Sri Deve Gowda spoke to me about it. Another member raised it on the Floor of the House. I must first of all satisfy my self whether there is any substance in it. Because it is put down as a short notice question, it does not mean that immediately it should be brought on the Floor of the House.

Sri SANJEEVANATH AIKALA.—We expected from the Chair, a Ruling about using abusive language in this House.

Mr. SPEAKER.—I said that indecorous language should not be used, apart from the unparliamentary language. Suppose it is fully parliamentary; even then it can be abusive.

Sri S. SIVAPPA.—About the Regulation of Passes .....

Mr. SPEAKER.—I suppose the Members are aware of the procedure. Passes are not given to anybody and everybody who simply comes and says 'I want a pass; I want to go to the Gallery'. There must be a certain amount of filtering. Honourable Members know what happens in the Parliament. There are people in London who have not watched the parliamentary session even to-day. I am told nobody has refused if a Member has desired.

Sri K. S. SURYANARAYANA RAO (Mysore City).—In matters of issue of passes, there are people who in the course of their tour come to Bangalore to witness the proceedings of the House and it is perhaps proper that such persons should be given an opportunity to witness the proceedings.

Mr. SPEAKER.—If the Hon'ble Member wants the rules to be amended, let him make a suggestion to that effect.

Sri K. S. SURYANARAYANA RAO.—Even then, it is not by themselves they come? they come through the members. Even when the members came and told them there were occasions when admissions have been refused,

Mr. SPEAKER.—Has the Hon'ble Member got any specific instance now ?

Sri K. S. SURYANARAYANA RAO.—Afterwards when I myself brought to the notice of the Chair the chair was pleased to give permission. It happens so. It is not as if it is a closed door session. May be, Regulations are necessary. At least, if Members express a desire.....

Mr. SPEAKER.—I agree with Hon'ble Member to a large extent. Suppose a member comes and ask for 40 or 50 passes.

Sri K. S. SURYANARAYANA RAO.—It happens that they come in a group.

Mr. SPEAKER.—Then the members will see me ; I will give specific instructions for an unusually large number like that; for instance, issuing, passes to student--I am trying to accommodate them as far as possi ble particularly the student population or members of the municipalities ? I am encouraging that. But, if the Hon'ble Member say that as a matter of fact, every Member should be given 50 or 60 passes, how can we satisfy such a demand. In such an unusual case, it is an extraordinary thing ; let the Hon'ble Member come and tell me ; I will attend to it.

Sri V. M. DEO.—You may be absent from this Chamber.

Mr. SPEAKER.—We cannot provide for such contingencies.

Sri V. M. DEO.—After all, we are Members, acting as responsible people.

Mr. SPEAKER.—If every member asks that he must be given 60 passes, what is to happen ?

Sri V. M. DEO.—The confidence that chair places in the members will not be misplaced.

Sri C. J. MUCKANNAPPA.—Suppose a member comes out and a number of people just surround him and get his signature ; It may be 40 or 60 or anything. That happens.

Mr. SPEAKER.—It only means that members recommend without knowing who the visitors are.

Sri C. J. MUCKANNAPPA.—People from Kerala, from Madras and Bombay come to Bangalore. How is it possible for the members to know them ? At least, the responsibility will be on the shoulders of those Members.

Mr. SPEAKER.—I will go deeper into the matter. I suggest in the Lounge one officer may be present to give members eight passes each, on the responsibility of Members. Now we will proceed to the business of the House. Non-official Resolution Time allowed first : three hours ; time extended : two hours ; time left over : one hour and 45 minutes. Members who participated : 11. Last Speaker Sri Revanasiddappa-inclusive. I am entirely in the hands of the House.